

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

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23.06.2005

PCT

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 66)

Date of mailing
(day/month/year)

21-06-2005

Applicant's or agent's file reference

BP109193/TN/SPO

REPLY DUE

within 60 days from
the above date of mailing

International application No.

PCT/FI2004/050104

International filing date (day/month/year)

24-06-2004

Priority date (day/month/year)

27-07-2003

International Patent Classification (IPC) or both national classification and IPC

H04Q7/38

Applicant

Nokia Corporation et al

1. ☒ The written opinion established by the International Searching Authority:
☒ is ☐ is not
considered to be a written opinion of the International Preliminary Examining Authority.
2. This second (first, etc.) opinion contains indications relating to the following items:
 - ☒ Box No. I Basis of the opinion
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
 - ☐ Box No. VII Certain defects in the international application
 - ☒ Box No. VIII Certain observations on the international application
3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is: 27-11-2005

Name and mailing address of the IPEA/SE

Patent- och registreringsverket
Box 5055

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WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.
PCT/FI2004/050104

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this opinion has been established on the basis of *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed.")*:

☐ the international application as originally filed/furnished

☒ the description:

pages 1 - 10 _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☒ the claims:

pages _____ as originally filed/furnished

pages _____ as amended (together with any statement) under Article 19

pages 11 - 12 received by this Authority on 27-04-2005

pages _____ received by this Authority on _____

☒ the drawings:

pages 1 - 3 _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.
PCT/FI2004/050104

Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims

Claims

1 - 8, 11

Inventive step (IS)

Claims

Claims

1 - 12

Industrial applicability (IA)

Claims

Claims

2. Citations and explanations:

Reference is made to the following documents:

D1: US 20020130774 A1
D2: WO 0143483 A1
D3: EP 1035746 A1
D4: GB 2371907 A
D5: US 20030134627 A1
D6: WO 9918745 A1
D7: GB 2329794 A
D8: US 20020090931 A1
D9: US 20020039896 A1

The invention is intended to provide a method and a device for prevention of undesirable functions.

Document D1: US 20020130774 A1 (chapters 0021 - 0048, figures 1 - 2, abstract) discloses a control device (20) that controls undesirable emissions from devices (40), for example portable computers, mobile phones and hand held organizers, by transmitting radio signals to the devices (40). The signals can either be control signals that require the devices (40) to operate at a reduced functionality (a single functionality or two or more discrete functionalities, see chapter 0025), or warning signals indicating an acceptable level of functionality for the devices (40). A warning signal may require a device (40) to generate a warning receivable by the user of the device (40), and allows users to voluntarily take corrective actions. According to chapter 0040, the warning signal for a personal computer could require the personal

.../...

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

computer to display a warning message on the personal computer's display screen. A mobile phone receives a voice message. According to chapter 0042, the control device (20) can transmit signals notifying the devices (40) of relaxed functionality restrictions on the devices (40). Therefore, the invention claimed in claims 1 - 8 and 11 lacks novelty.

Documents D2 - D9 (below) show a similar art.

In claims 9 - 10 and 12, slight constructional changes are suggested that are obvious to a person skilled in the art. Consequently, the invention claimed in claims 9 - 10 and 12 lacks an inventive step.

Document D2: WO 0143483 A1 (page 1, line 1 - page 8, line 8, figures 1 - 3B, abstract) discloses a method for preventing the use of a mobile telephone. A short range (Bluetooth) radio transmitter (13, claim 5) transmits a command to turn mobile telephones off, switch to short distance radio for communication or a message to the users of the mobile telephones to remind the users that the mobile telephones should be turned off. Therefore, the invention claimed in claims 1, 3 - 4, 6, 8 and 11 lacks novelty.

Document D3: EP 1035746 A1 (column 1, line 1 - column 9, line 20, figures 1 - 3, abstract) discloses a radio transmitter (Bluetooth 200) that transmits a protection signal to a mobile terminal (300) having a receiver that is arranged to switch off the radio part of the mobile terminal (300). Therefore, the invention claimed in claims 1, 3, 5 - 6 and 8 lacks novelty.

Document D4: GB 2371907 A (page 1, line 1 - page 9, line 12, figures 1 - 2, abstract) discloses a method for restricting and re-enabling the use of a portable camera. A radio transmitter (16) transmits a command to a receiver (12) in the camera to disable or re-enable one or more functions of the camera. Therefore, the invention claimed in claims 1 - 3 and 5 - 8 lacks novelty.

.../...

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

Document D5: US 20030134627 A1 (chapter 0030 - 0066, figures 1 - 11, abstract) discloses a method for limiting the use of a mobile electronic device, for example a mobile phone (10, 20, 40) or a digital camera. A wireless transmitter (130) transmits a command to disable one or more features of the mobile electronic device. According to chapter 0052, a message is transmitted to the mobile electronic device releasing all or certain features. Therefore, the invention claimed in claims 1 - 3 and 5 - 8 lacks novelty.

Document D6: WO 9918745 A1 (page 1, line 1 - page 13, line 22, figures 1 - 7, abstract) discloses a method for switching off or reactivating a selected function in an electronic device, for example a mobile phone, when a command is received by a radio receiver. Therefore, the invention claimed in claims 1 - 3 and 5 - 8 lacks novelty.

Document D7: GB 2329794 A (page 1, line 1 - page 4, line 6, figures 1 - 3, abstract) discloses a mobile telephone (2) with a radio receiver (4) for receiving a disabling or enabling signal sent from a transmitter (13). The mobile telephone (2) may be partially disabled. Therefore, the invention claimed in claims 1 - 3 and 5 - 8 lacks novelty.

Document D8: US 20020090931 A1 (chapters 0005 - 0025, figures 1 - 2, abstract) discloses a wireless phone with a button or switch (320) for partially disabling the phone.

Document D9: US 20020039896 A1 (chapters 0006 - 0029, figures 1 - 3, abstract) discloses a mobile phone (100) having a radio receiver (RFA, RFB) for receiving a disabling or enabling signal sent from a short-range transmitter (10, 12). The mobile phone (100) is disabled without or with the consent of the user (chapter 0028). Therefore, the invention claimed in claims 1 - 8 and 11 lacks novelty.

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

According to the independent claim 6, a blocking key is received via a wireless connection. However, according to dependent claim 10, the blocking key is received via a cable (connection). Claim 10 comprises all the features of claim 6 and is therefore not appropriately formulated as a claim dependent on the latter (Rule 6.4 PCT).

An argument stating that the expression "executable blocking key" in independent claims 1 and 6 implies that the executable blocking key has the appearance of a passage of program code or a series of executable instructions, which the device may execute, is one of several possible interpretations of the claims 1 and 6. The expression can also be interpreted as a control signal for deactivating a function, i.e. corresponding to the control signal of the device according to document D1. Furthermore, it would be an obvious variation to a person skilled in the art to design the control signal of document D1 as an executable blocking key that has the appearance of a passage of program code or a series of executable instructions, which the device may execute.